

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

SAN DIEGO UNIFIED SCHOOL  
DISTRICT.

OAH Case No. 2015080706

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On August 12, 2015, Parents on behalf of Student filed a Due Process Hearing Request (complaint), naming San Diego Unified School District. On August 13, 2015, Student filed a Request to File an Amended Due Process Hearing Request (amended complaint) so as to correct allegations in the Facts section of the complaint as to Student's academic history. No opposition was received from San Diego.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(I).)<sup>1</sup> The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order.

IT IS SO ORDERED.

DATE: August 21, 2015

/s/

ROBERT HELFAND  
Administrative Law Judge  
Office of Administrative Hearings

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<sup>1</sup> All statutory citations are to title 20 United States Code unless otherwise indicated.